

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
(COLUMBUS)**

EMPLOYEES RETIREMENT SYSTEM OF
THE CITY OF ST. LOUIS,

Plaintiff,

-vs-

CHARLES E. JONES, *et al.*,

Defendants,

-and-

FIRSTENERGY CORP.,

Nominal Defendant.

CASE NO. 2:20-CV-04813

CHIEF JUDGE ALGENON L. MARBLEY

MAGISTRATE JUDGE KIMBERLY A.
JOLSON

MOTION TO WITHDRAW AS COUNSEL

Pursuant to Local Rule 83.4, Darrell A. Clay respectfully requests that he be granted leave to withdraw as counsel for Defendant Justin Biltz in this matter. As set forth in the accompanying declaration, Mr. Clay has been selected to become a Magistrate Judge for the Northern District of Ohio, Western Division, which office he will assume on May 14, 2021. Accordingly, in accordance with Canon 4A(5) of the Code of Conduct for United States Judges, Mr. Clay must cease the practice of law and he is therefore withdrawing as a partner at Walter | Haverfield LLP effective as of the close of business on Friday, May 3, 2021.

Ralph E. Cascarilla will remain as counsel for Mr. Biltz.

I have forwarded a copy of this motion to Mr. Biltz.

Respectfully submitted,

/s/ Darrell A. Clay

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Attorneys for Defendant Justin T. Biltz

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2021, I caused to be electronically filed the foregoing pleading and attachments with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all counsel of record.

I have also forwarded a copy of this motion to Mr. Biltz.

/s/ Darrell A. Clay

Darrell A. Clay

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

EMPLOYEES RETIREMENT SYSTEM OF
THE CITY OF ST. LOUIS,

Plaintiff,

-vs-

CHARLES E. JONES, *et al.*,

Defendants,

-and-

FIRSTENERGY CORP.,

Nominal Defendant.

CASE NO. 2:20-CV-04813

CHIEF JUDGE ALGENON L. MARBLEY

MAGISTRATE JUDGE KIMBERLY A.
JOLSON

**DECLARATION OF DARRELL A. CLAY
IN SUPPORT OF MOTION TO
WITHDRAW AS COUNSEL**

I, Darrell A. Clay, hereby declare as follows:

1. I am over the age of eighteen and competent in all respects. Unless otherwise noted, I make this Declaration of my own personal knowledge. If called as a witness, I could and would competently testify consistently with the contents of this Declaration.

2. I have been selected to become a Magistrate Judge for the Northern District of Ohio, Western Division. I am scheduled to be sworn-in on Friday, May 14, 2021.

3. In accordance with Canon 4A(5) of the Code of Conduct for United States Judges, I must cease the practice of law. Therefore, I am withdrawing as a partner at Walter | Haverfield LLP effective as of the close of business on Friday, May 3, 2021.

Under penalty of perjury, I declare the foregoing to be true and accurate to the best of my knowledge, information, and belief.

Done at Cleveland, Ohio, this 28th day of April 2021.

/s/ Darrell A. Clay
Darrell A. Clay